

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Case No. 1:19-CR-00052

Plaintiff,

v.

Hon. Paul L. Maloney

JAVONTAE QUINTEZ WHITE

Defendant(s).

**GOVERNMENT'S
INITIAL PRETRIAL CONFERENCE
SUMMARY STATEMENT**

I. DISCOVERY

A. Statements of Defendant

1. Oral Statements (Rule 16(a)(1)(A))

☐

There are no written records of oral statements or other oral statements as defined in Rule 16(a)(1)(A).

☒

There are the following written records of oral statements:

GRPD reports, including 18-050701; 18-050847

The substance of which

☐

has been disclosed to defense counsel.

☒

will be disclosed to defense counsel by March 11, 2019.

2. Written or Recorded Statements (Rule 16(a)(1)(B))

☐

There are no written or recorded statements or grand jury testimony of defendant.

☒

There are the following written or recorded statements or grand jury testimony:

Audio/video of GRPD interview;
Statements contained on Defendant's phone(s)/other phone(s).

All written or recorded statements

☐

have been disclosed to defense counsel.

☒

will be disclosed to defense counsel by March 11, 2019.

B. Defendant's Prior Record (Rule 16(a)(1)(D))

- ☐ The Government has made due inquiry and is not aware of any prior criminal record.
- ☒ The Government has disclosed defendant's prior criminal history.
- ☐ The Government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects (Rule 16(a)(1)(E))

- ☐ The Government has no documents, tangible objects, or physical evidence required to be disclosed.
- ☒ The Government has the following documents, tangible objects, and physical evidence:
- ☒ Drug Paraphernalia ☐ Drug Records ☐ Inventory (attached)
- ☒ Controlled Substances: Fentanyl; Cocaine; Alprazolam; Clonazepam
- ☒ Records: Facebook records; seized paperwork; phone records; cell site records
- ☐ Firearms: _____
- ☒ Other: Photos; US Currency; cell phones; tablet; smart watch; wallet; rx bottle
- ☒ The Government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:
- ☒ State
- ☒ Federal:
- | | |
|--|--------------------------------------|
| Case No. <u>19mj18</u> | Re: <u>Cell Phones</u> |
| Case No. <u>19mj19</u> | Re: <u>TextNow</u> |
| Case No. <u>19mj20; 21; 22; 44; 47</u> | Re: <u>Historical Cell Site Data</u> |
- ☐ They have been made available for inspection and copying by defense counsel.
- ☒ Defense counsel should make arrangements with:
DEA TFO J. Schafer

D. Reports of Examinations and Tests (Rule 16(a)(1)(F))

- ☐ The Government has no reports of examinations or tests required to be disclosed by Rule 16.
- ☒ The Government has or expects to have reports of the following examinations and tests:
- ☒ Drug Analysis ☐ Handwriting ☐ Fingerprints
- ☐ DNA ☐ Firearms/Nexus ☐ Gun Operability
- ☐ Computer Forensics ☒ Other: Medical Examiner & Toxicology Reports

E. Reciprocal Discovery

- ☒ The Government seeks reciprocal discovery.

F. Notice Under FRE 404(b)

☐ The Government does not presently intend to introduce 404(b) evidence.

☒ The Government does presently intend to introduce the following 404(b) evidence:

Uncharged act(s) of drug distribution by the defendant.

☐ The Government will provide pretrial notice of 404(b) evidence by _____.

G. Other Discovery Matters

II. TRIAL

A. The Government requests a ☒ jury ☐ non-jury trial.

B. The length of trial excluding jury selection is estimated at 5 days.

III. MISCELLANEOUS

☐ This case may be appropriate for expedited resolution.

☒ The Government is unaware at this time of any known conflict with defendant's representation by counsel. The United States will immediately advise counsel if any such conflict becomes known.

☐ The Government is aware of the following potential conflicts:

☒ Government's plea negotiation policy:

To benefit from concessions by the Government, the Defendant should enter a plea no later than two weeks prior to the final pretrial conference.

Guilty pleas entered less than three weeks prior to trial are not timely for purposes of 3E1.1(b), because it would not permit "the government to avoid preparing for trial and permit[] the government and the court to allocate their resources efficiently." USSG 3E1.1(b).

Date March 8, 2019

/s/ Daniel T. McGraw
Counsel for the United States